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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/594,100

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Michael Anthony Dean

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PATENT MANAGEMENT GROUP  
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EXAMINER

TRUVAN, LEYNNA THANH

ART UNIT

PAPER NUMBER

2435

NOTIFICATION DATE

DELIVERY MODE

08/18/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@VERIZON.COM

<b>Office Action Summary</b>	<b>Application No.</b> 09/594,100	<b>Applicant(s)</b> DEAN, MICHAEL ANTHONY	
	<b>Examiner</b> Leynna T. Truvan	<b>Art Unit</b> 2435	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 06 May 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-10 and 21-33 is/are allowed.
- 6) ☒ Claim(s) 11-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

1. Claims 1-33 are pending. The amendment filed 5/6/09 amended claims 11 and 16.
2. Claims 1-10 and 21-33 are allowed based on the Board of Appeals Decision on 12/12/2008.

***Continued Examination Under 37 CFR 1.114***

3. A request for continued examination under 37 CFR 1.114 was filed in this application after a decision by the Board of Patent Appeals and Interferences, but before the filing of a Notice of Appeal to the Court of Appeals for the Federal Circuit or the commencement of a civil action. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 5/6/2009 has been entered.

***Response to Arguments***

4. Applicant's arguments filed 5/6/2009 have been fully considered but they are not persuasive.

Applicant currently amends independent claims 11 and 16 to recite "including" instead of "with" a destination address. Applicant argues on pg. 12 that the current

amendment is now in alignment with the Board's reasoning for its decision to reverse the rejection of claims 1-10 and 21-33. By merely changing the "with" limitation to now recite "include" a destination address does not make claims 11-20 allowable because these claims do not recite all of the (allowable) features of claims 1-10 and 21-33.

Gelman discloses a first address translator is the source (1<sup>st</sup>) gateway 12 that includes a SNAT 64A responsible for address mapping of packets, and gateway application 62A for processing the packets so they are properly routed to their destinations (col.8, lines 59-63). The source gateway 12 translates the packet received from the client 10 (col.7, lines 23-26). Once the first address has been modified or translated to another (2<sup>nd</sup>) destination address by the 1<sup>st</sup> gateway 12, the packet is transmitted via the network (col.7, lines 25-28) to another (2<sup>nd</sup>) gateway 16.). This reads on the claimed transmitting the data packet that now includes the second destination address via (COL.9, lines 24-25). Claims 11 and 16 does not further limit or claim translation at a second destination after "transmitting the data packet including the second destination address to a second address translator". Whereas, claims 1 and 21 additionally claims the feature of receiving and translating again at the second translator. Thus, the claimed invention of claims 11-20 does not implicitly require the allowable features of claims 1-10 and 21-33. Hence, claims 1-20 remains rejected in view of Gelman.

***Claim Rejections - 35 USC § 102***

*The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:*

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**5. Claims 11-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Gelman, et al. (US 6,415,329).**

**As per claim 11:**

Gelman discloses a system for mapping destination information comprising:

a memory configured to store a mapping algorithm; **(COL.17, lines 28-36 and COL.18, lines 13-22 and lines 34-50)**

a processor configured to:

receive in a first address translator a data packet that includes a first destination address, the first destination address representing a real destination address, **(COL.3, lines 49-54 and COL.9, lines 21-26; the client is source node 10 (col.7, lines 14-15))**

changing the first destination address to a second destination address in the first address translator **(COL.3, lines 50-53 and COL.9, lines 19-20)** using the mapping algorithm; and **(COL.17, lines 28-36 and COL.18, lines 13-22 and lines 34-50; the source gateway 12 translates the packet received from the client 10 (col.7, lines 23-26). The first address translator is the source (1<sup>st</sup>) gateway 12 that includes a SNAT 64A responsible for**

**address mapping of packets, and gateway application 62A for processing the packets so they are properly routed to their destinations (col.8, lines 59-63))**

transmit the data packet including the second destination address (**COL.3, lines 34-38**) to a second address translator. (**COL.4, lines 46-51 and COL.10, lines 9-11**) (**COL.9, lines 24-25**; Once the first address has been modified or translated to another (2<sup>nd</sup>) destination address by the 1<sup>st</sup> gateway 12, the packet is transmitted via the network (col.7, lines 25-28) to another (2<sup>nd</sup>) gateway 16 which is the 2<sup>nd</sup> address translator.)

**As per claim 12:** See **COL.4, lines 63-65 and COL.15, lines 5-6**; discusses encrypting the second destination address before transmitting the data packet.

**As per claim 13:** See **COL.17, lines 28-36 and COL.18, lines 13-22 and lines 34-50**; discusses mapping the first port information to second port information using a mapping algorithm (col.7, lines 15-50).

**As per claim 14:** See **COL.20, lines 8-14**; discusses determining whether the first destination address is included in a set of predetermined addresses before changing the first destination address.

**As per claim 15:** See **COL.17, lines 32-67**; discusses determining whether to change the first destination address based on a current time and whether the first address is in a set of predetermined addresses (col.7, lines 4-5 and 44-46).

**As per claim 16:**

Gelman discloses a computer-readable medium having stored thereon a plurality of sequences of instructions, when executed by the processor, causes said processor to perform the steps of:

receiving in the first address translator a data packet including a first destination address, the first destination address representing the real destination address; **(COL.3, lines 49-54 and COL.9, lines 21-26; the client is source node 10 (col.7, lines 14-15))**

changing the first destination address to a second destination address in the first address translator **(COL.3, lines 50-53 and COL.9, lines 19-20)** using a mapping algorithm; and **(col.17, lines 29-39 and col.19, lines 26-30; the source gateway 12 translates the packet received from the client 10 (col.7, lines 23-26). The first address translator is the source (1<sup>st</sup>) gateway 12 that includes a SNAT 64A responsible for address mapping of packets, and gateway application 62A for processing the packets so they are properly routed to their destinations (col.8, lines 59-63)**

transmitting the data packet including the second destination address from the first address translator to second address translator. **(COL.9, lines 24-25; Once the first address has been modified or translated to another (2<sup>nd</sup>) destination address by the 1<sup>st</sup> gateway 12, the packet is transmitted via the network (col.7, lines 25-28) to another (2<sup>nd</sup>) gateway 16.)**

**As per claim 17: See COL.4, lines 63-65 and COL.15, lines 5-6;** discussing encrypting the second destination address before transmitting the data packet.

**As per claim 18: See COL.17, lines 28-36 and COL.18, lines 13-22 and lines 34-50;** discussing mapping the first port information to second port information.

**As per claim 19: See COL.17, lines 32-67 and COL.20, lines 8-14;** discusses determining whether the first destination address is included in a set of predetermined addresses before changing the first destination address.

**As per claim 20:** See COL.17, lines 32-67 and COL.18, lines 13-22; discusses determining whether to translate the second destination address based on the time and whether the second address is in a set of predetermined address (col.12, lines 53-65).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leynna T. Truvan whose telephone number is (571) 272-3851. The examiner can normally be reached on Monday - Thursday (7:00 - 5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/L. T. T./  
Examiner, Art Unit 2435

/Kimyen Vu/

Supervisory Patent Examiner, Art Unit 2435